

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Therran Rasheed Small, #001224504,)	
)	
Plaintiff,)	C.A. No. 2:24-1713-RMG
)	
v.)	
)	
Office Adams, <i>et al.</i> ,)	
)	ORDER
Defendants.)	
)	
)	

This action involves claims arising under 42 U.S.C. § 1983 brought by a state pretrial detainee proceeding pro se and in forma pauperis. This matter comes before the Court on a Report and Recommendation of the Magistrate Judge (“R & R”) recommending that Defendants’ motion to dismiss should be granted and Plaintiff’s civil action dismissed with prejudice because of Plaintiff’s failure to prosecute and to comply with the orders of the Court concerning his discovery obligations. (Dkt. No. 34). Plaintiff filed no timely objections to the R & R.

I. Legal Standard

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the Report for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in

the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee's note).

II. Discussion

The Court finds that the Magistrate Judge properly summarized the factual and legal issues involved and correctly concluded that Defendants’ motion to dismiss should be granted for failure to prosecute and failure to comply with the orders of the Court. The Court further finds that the Magistrate Judge correctly concluded that the dismissal of this action should be with prejudice.

III. Conclusion

In light of the foregoing, the Court **ADOPTS** the R & R of the Magistrate Judge (Dkt. No. 34) as the order of the Court and **DISMISSES** this action with prejudice.

AND IT IS SO ORDERED.

s/Richard Mark Gergel
Richard Mark Gergel
United States District Judge

April 22, 2025
Charleston, South Carolina